

## INTERNATIONAL SEARCH REPORT

International application No.  
**PCT/AU2004/001035****A. CLASSIFICATION OF SUBJECT MATTER**Int. Cl. <sup>7</sup>: B65D 41/34, B65D 101:00, B65D 51/28

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

AU: IPC B65D 51/28

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

DWPI IPC B65D 41/-, 51/-, 55/- and keywords: CLOSURE, LID, CAP, TAMPER, EVIDENT, THREAD, SCREW, BAND, RING, FRANGIBLE, FRACTURE, SEPARATE, TABS, LUGS, PROJECTIONS, RAMPS, RIBS and similar terms

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	Derwent Abstract Accession No. 99-296281/25, Class Q33, Q39 JP 11-100093 A (SHIBAZAKI SEISAKUSHO KK) 13 April 1999 See abstract and drawings	1-4
X Y	Derwent Abstract Accession No. 99-235341/24, Class Q33, JP 08-091402 A (SHIBAZAKI SEISAKUSHO KK) 9 April 1996 See abstract and drawings See abstract and drawing	1, 3, 4 2
X Y	WO 1997/043190 A1 (SHIBAZAKI SEISAKUSHO KK) 20 November 1997 See abstract and drawings See abstract and drawings	1, 3, 4 2



Further documents are listed in the continuation of Box C



See patent family annex

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search  
8 October 2004

Date of mailing of the international search report

13 OCT 2004

Name and mailing address of the ISA/AU

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International application No.

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	Derwent Abstract Accession No. 99-225450/19, Class Q33, Q39	
Y	JP 11-059791 A (SHIBAZAKI SEISAKUSHO KK) 2 March 1999	
	See abstract and drawings	1, 3, 4
	See abstract and drawing	2
X	US 5660288 A (NYMAN, JR.) 26 August 1997	
Y	See whole document	1, 3, 4
	See whole document	1, 3, 4
Y	US 4458821 A (OSTROWSKY) 10 July 1984	
	See whole document	1, 3, 4
Y	US 2003/0015490 A1 (TAHA) 23 January 2003	
	See whole document – Particularly sealing means (50)	2
X	GB 2222812 A (JANOWITZ) 21 March 1990	
	See whole document	5
X	WO 1998/038104 A1 (BORMIOLI ROCCO & FIGLIO S.P.A.) 3 September 1998	
	See whole document	5
X	WO 1998/040289 A1 (COORY) 17 September 1998	
	See whole document	5

**Supplemental Box**

(To be used when the space in any of Boxes I to VIII is not sufficient)

**Continuation of Box No: III**

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1 to 4 relates to a container and closure wherein the closure includes an upper wall, an integral skirt adapted to engage a neck portion of the container, a tamper-evident band frangibly connected to the skirt, the neck has a plurality of spaced projections extending outwardly from the neck and adapted to engage with tabs on the band to facilitate breaking of the band from the skirt of the closure. It is considered that the arrangement of the container and closure and in particular the feature of the tabs engaging the projections comprises a first "special technical feature".
2. Claim 5 relates to closure that includes an upper wall, an integral skirt adapted to engage a neck portion of a container, a plunger housing located in the upper wall and a plunger sealing engaged in the plunger housing whereby the plunger and plunger housing are adapted for dispensing one or more additives into the container. It is considered that the arrangement of the plunger and plunger housing features of the closure comprises a second special technical feature.

These groups are not so linked as to form a single general inventive concept, that is, they do not have any common inventive features, which define a contribution over the prior art. The common concept linking together these groups of claims is a closure with an upper wall and an integral skirt adapted to engage a neck portion of a container. However this concept is not novel in the light of the prior art documents cited in this report. Therefore these claims lack unity a posteriori.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU2004/001035

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
JP	11100093	NONE			
JP	8091402	NONE			
WO	1997/043190	AU	25224/97	CA	2226573
		EP	0854095	US	5950850
JP	11059791	NONE			
US	5660288	AU	47711/96	WO	1996/022233
US	4458821	NONE			
US	2003015490	AU	65139/01	US	6491175
		US	2002001637	WO	2002/000506
GB	2222812	AU	37210/89	DE	3930090
		NL	8902329	US	4903865
WO	1998/038104	AU	43965/97	BR	9714624
		EP	0963325	IT	MO970029
WO	1998/040289	AU	65286/98	CA	2283874
		NZ	500063	US	6230884
<p>Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.</p> <p>END OF ANNEX</p>					

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001035

**Box No. II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

**Box No. III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

See Supplemental Sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.